

Exhibit 2

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA,

Plaintiff,

v.

MOSHE LAX, individually, as an executor of the Chaim Lax Estate, as a trustee of the Chaim Lax Family Trust, and as a trustee of the GAMA Trust; ZLATY SCHWARTZ, individually, as executor of the Chaim Lax Estate, as trustee of the Chaim Lax Family Trust; SHAINDY LAX; JUDITH LAX; J.L., a minor; 299 HEWES STREET REALTY CORP; 307 HEWES STREET REALTY CORP; JBAM REALTY LLC, a/k/a JBAM REALTY 2 LLC; BEN ZION JACOBOWITZ; TONY JACOBOWITZ; SL HOLDINGS I, LLC; SL HOLDINGS II, LLC; SL HOLDINGS III, LLC; SL HOLDINGS IV, LLC; SL HOLDINGS V, LLC; DIAMOND DYNAMICS LLC; KGK JEWELRY LLC; CONGREGATION BAIS YEHUDAH D'GANITCH; and LX HOLDINGS LLC,

Civil Action No.: No.: 1:18-cv-04061

**DEFENDANT ZLATY SCHWARTZ'S
RESPONSES AND OBJECTIONS TO
DEFENDANTS' FIRST SET OF
INTERROGATORIES**

Defendants.

To: Steven Tennyson
Stephanie Weiner Chernoff
Trial Attorneys, Tax Division
U.S. Dept. of Justice
Post Office Box 55, Ben Franklin Station
Washington, D.C. 20044
Email: Steven.Tennyson@usdoj.gov

PLEASE TAKE NOTICE that, in accordance with Rules 26 and 33 of the Federal Rules of Civil Procedure and Local Civil Rule 33.3, Defendant, Zlaty Schwartz ("Mrs. Schwartz" or "Defendant"), by and through her undersigned counsel, Becker & Poliakoff, LLP, hereby responds and objects as follows to the First Set of Interrogatories (the "Requests") of Plaintiff United States of America ("Plaintiff").

October 26, 2018

BECKER & POLIAKOFF, LLP
Attorneys for Defendant Zlaty Schwartz

By: /s/ James J. Mahon

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GENERAL OBJECTIONS

All of Defendant's responses to the Requests are subject to every general objection. Certain general objections may be incorporated by reference in response to individual requests. These references are for purposes of clarity only and should not be construed as a waiver of all other general objections.

1. Defendant objects to any request that seeks information that is not relevant or material to the matters in issue, or which is not reasonably calculated to lead to admissible evidence.

2. Defendant objects to any request which is inherently vague, ambiguous, or which is not susceptible to a reasonably clear interpretation.

3. Defendant objects to any request that calls for the disclosure of documents protected by the attorney-client privilege, work-product doctrine, or other applicable privilege.

4. Defendant objects to Plaintiff's definitions and instructions insofar as they are overly broad, unduly burdensome, oppressive and unduly expensive and they purport to impose obligations which exceed those imposed by the Federal Rules of Civil Procedure, the Local Civil Rules of the United States District Court for the Southern District of New York.

5. Defendant objects to any request calling for production of information in the public record since the burden of identifying such documents is no greater for Plaintiff than for Defendant.

To the extent Defendant responds to any individual request to which she objects, Defendant's objections are not waived. In addition, the inadvertent production by Defendant of any privileged documents is not intended to be, and shall not constitute, a waiver of any applicable privilege. By answering the Requests and producing documents in connection therewith, Defendant preserves all objections with regard to the competency, relevancy, materiality and/or

admissibility of the information provided and with regard to the use of such documents at any subsequent proceeding or trial of this or any other action.

Defendant reserves the right to amend its responses to the Requests as more information is learned during the course and conduct of discovery.

OBJECTIONS AND RESPONSES

INTERROGATORY NO. 1:

Identify and describe with particularity (including by name, state or country (if outside the United States) of incorporation, entity type, address, principals, and registered agent) each and every Affiliated Entity at any time from May 1, 2007 through present.

RESPONSE: Mrs. Schwartz objects to this request as overly broad, not restricted to information relevant to this action, and burdensome in that it demands information that is a matter of public record and/or already in the possession of Plaintiff. Subject to and without waiving the foregoing objection or any of the general objections:

Mrs. Schwartz was employed by Dynamic Diamond Corp., a New York corporation, between May 1, 2007 and approximately March 2010.

Mrs. Schwartz was employed by Diamond Dynamics LLC, a New York LLC, between April 2010 and mid-2012.

Mrs. Schwartz owned a 7% interest in Bluediam Research LLC, a New York LLC, from January 2013 until December 2015, when it ceased operations.

Mrs. Schwartz owned a 50% interest in 20 Walton LLC, a New York LLC, between May 2007 and 2010, when it ceased operations.

Mrs. Schwartz owned a 50% interest in Yzes Realty LLC, a New York LLC, between March 2009 and 2014, when it ceased operations.

Mrs. Schwartz was co-trustee of the Chaim Lax Family Trust, which owned LX Holdings LLC after May 7, 2007.

Between mid-2008 and 2009, when they were liquidated, Mrs. Schwartz was co-trustee of the Chaja Kesler Trust, the Jachata Klagsburn Trust, the Berta Brecher Trust, the Gitta Gutman Trust, the Goldie Weiss Trust, the Eugene Gubner Trust, the Rhoda Pollack Trust, the Edith Rosenberg Trust, the Megda Silberman Trust, the Miriam Stern Trust, the Aron Feureisen Trust, the Sedonia Kohn Trust, and the Gaby Wilson Trust.

INTERROGATORY NO. 2:

Identify and describe with particularity (including the name and address of the institution, account holder names, account number, and period during which account was open or active) all

Financial Accounts of any kind that You or an Affiliated Entity owned, used to make payments, had signatory control over, or were authorized to make payments from at any anytime [sic] from November 8, 2008 through present.

RESPONSE: Mrs. Schwartz objects to this request as overly broad, not restricted to information relevant to this action, and burdensome in that it demands information that is a matter of public record and/or already in the possession of Plaintiff, and/or demands information not in Mrs. Schwartz' possession. Subject to and without waiving the foregoing objection or any of the general objections:

Bluediam Research LLC owned account No. [REDACTED] 6583 at JP Morgan Chase Bank.

Yzes Realty LLC owned account No. [REDACTED] 7884 at JP Morgan Chase Bank.

Mrs. Schwartz, with her husband, jointly owned account No. [REDACTED] 0822 at JP Morgan Chase Bank.

Mrs. Schwartz, with her husband, jointly owned account No. [REDACTED] 9394 at Apple Bank of New York.

Although she had no knowledge of it, Mrs. Schwartz was entitled to make payments from an account owned by the Estate of Chaim Lax and opened by her co-executor Moshe Lax: Signature Bank Account [REDACTED] 858.

CERTIFICATION

I am a Defendant in this action. I certify that I have read the foregoing objections and responses to Plaintiff's First Set of Interrogatories, and I know the contents thereof to be true and complete based upon my own knowledge, except as to the matters therein stated to be alleged upon information and belief, and as to those matters I believe them to be true. I am aware that if any of the foregoing responses are willfully false, I am subject to punishment.

Date: October 26, 2018



Zlaty Schwartz

CERTIFICATION OF SERVICE

I hereby certify that on this day I caused the foregoing Defendant's RESPONSES AND OBJECTIONS TO PLAINTIFF'S FIRST SET OF INTERROGATORIES to be served on the below individual via email and first class mail:

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Dated October 26, 2018